DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Part 101

[Docket No. USCBP–2017–0017]

Extension of Port Limits of Savannah, GA


ACTION: Notice of proposed rulemaking.

SUMMARY: U.S. Customs and Border Protection (CBP) is proposing to extend the geographical limits of the port of entry of Savannah, Georgia. The proposed extension will make the boundaries more easily identifiable to the public and will allow for uniform and continuous service to the extended area of Savannah, Georgia. The proposed change is part of CBP’s continuing program to use its personnel, facilities, and resources more efficiently and to provide better service to carriers, importers, and the general public.

DATES: Comments must be received on or before September 1, 2017.

ADDRESSES: Please submit comments, identified by docket number, by one of the following methods:


Instructions: All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to http://www.regulations.gov, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to http://www.regulations.gov. Submitted comments may be inspected during regular business days between the hours of 8 a.m. and 4:30 p.m. at the Trade and Commercial Regulations Branch, Regulations and Rulings, Office of Trade, Customs and Border Protection, 90 K Street NE., 10th Floor, Washington, DC 20229–1177. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 325–0118.

FOR FURTHER INFORMATION CONTACT: Roger Kaplan, Office of Field Operations, U.S. Customs and Border Protection, (202) 325–4543, or by email at Roger.Kaplan@dhs.gov.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of the proposed rule. U.S. Customs and Border Protection (CBP) also invites comments that relate to the economic, environmental, or federalism effects that might result from this proposed rule. Comments that will provide the most assistance to CBP will reference a specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change.

II. Background

As part of its continuing efforts to use CBP’s personnel, facilities, and resources more efficiently, and to provide better service to carriers, importers, and the general public, CBP is proposing to extend the limits of the Savannah, Georgia port of entry. The CBP ports of entry are locations where CBP officers and employees are assigned to accept entries of merchandise, clear passengers, collect duties, and enforce the various provisions of customs, immigration, agriculture, and related U.S. laws at the border. The term “port of entry” is used in the Code of Federal Regulations (CFR) in title 8 for immigration purposes and in title 19 for customs purposes. For immigration purposes, Savannah, Georgia port of entry is classified as a Class A port in District 26 under 8 CFR 104.0(a).1 For customs purposes, CBP regulations list designated CBP ports of entry and the limits of each port in 19 CFR 101.3(b)(1).

Savannah, Georgia was designated as a customs port of entry by the President’s message of March 3, 1913, concerning a reorganization of the U.S. Customs Service pursuant to the Act of August 24, 1912 (37 Stat. 434; 19 U.S.C. 1). Executive Order 8367, dated March 5, 1940, established specific geographical boundaries for the port of entry of Savannah, Georgia.

The current boundaries of the Savannah port of entry begin at the intersection of US Highway 17 and Little Back River on the line between South Carolina and Georgia; thence in a general southeasterly direction through the Little Back River, Back River, Savannah River and South Channel to the mouth of St. Augustine Creek, a distance of 11.6 miles; thence in a straight line in a southwesterly direction to the intersection of Moore Avenue and DeRenne Avenue, a distance of 5.8 miles; thence in a straight line in a westerly direction to the intersection of Middle Ground Road and DeRenne Avenue, a distance of 2.7 miles; thence in a straight line in a westerly direction to the intersection of Garrard Avenue and Ogeechee Road, a distance of 2.4 miles; thence in a straight line in a northwesterly direction to the intersection of Louisville Road and Bourne Avenue, a distance of 6.2 miles; thence in a straight line in an easterly direction along Augusta Road and Augustin Creek, a distance of 4.8 miles; thence in a general easterly direction along Augustine Creek to the Savannah River, a distance of 2.4 miles; thence in a straight line in an easterly direction to the Chatham County line on Coastal Highway and Little Back River (the point of the beginning), a distance of 1.4 miles. CBP has included a map of the current port limits in the docket as “Attachment: Port of Entry of Savannah (blue lines).”

Travel modes, trade volume, and transportation infrastructure have expanded greatly since 1940. For example, much of Savannah-Hilton Head International Airport is located beyond the current port limits, including the site of the proposed replacement Federal Inspection Service facility for arriving international travelers. Similarly, distribution centers and cold storage agricultural facilities that support the seaport are located outside existing port limits. As a result, the greater Savannah area’s trade and travel communities do not know with certainty if they will be able to receive CBP services if they build facilities on the region’s remaining undeveloped properties, almost all outside the boundaries of the port of entry.

To address these concerns regarding the geographic limits of the port, CBP is proposing to amend 19 CFR 101.3(b)(1) to extend the boundaries of the port of entry of Savannah, Georgia, to include the majority of Chatham County, Georgia, as well as a small portion of Jasper County, South Carolina. The
update will also provide uniform and
continuous service to the extended area
of Savannah, Georgia, and respond to
the needs of the trade and travel
communities. Further, the extension of
the boundaries will include all of
Savannah-Hilton Head Airport, the
distribution centers and cold storage
agricultural facilities, as well as the site
of the proposed replacement Federal
Inspection Service facility for arriving
international travelers, and any other
projected new facilities. However, the
proposed change in the boundaries of
the port of Savannah, Georgia, will not
result in a change in the service that is
provided to the public by the port and
will not require a change in the staffing
or workload at the port.

III. Proposed Port Limits of Savannah,
Georgia

The new port limits of Savannah,
Georgia, are proposed as follows:

From 32°14.588′ N.—081°08.455′ W.
(where Federal Interstate Highway 95
crosses the South Carolina-Georgia state
line) and extending in a straight line to
32°04.903′ N.—080°04.998′ W. (where
Walls Cut meets Wright River and
Turtle Island); then proceeding in a
straight line to 31°52.651′ N.—
081°03.331′ W. (where Adams Creek
meets Green Island South); then
proceeding northwest in a straight line
to 32°00.280′ N.—081°17.00′ W. (where
Highway 204 intersects Federal
Interstate Highway 95); then proceeding
along the length of Federal Interstate
Highway 95 to the point of beginning at
the state line. CBP has included a map of
the proposed port limits in the docket as
“Attachment: Port of Entry of
Savannah (red lines).”

IV. Inapplicability of Notice and Public
Procedure Requirements

CBP routinely establishes, expands,
and consolidates ports of entry
throughout the United States to
accommodate the volume of CBP-related
activity in various parts of the country.
This proposed amendment is not subject
to the notice and public procedure
requirements of 5 U.S.C. 553 because it
relates to agency management and
organization (5 U.S.C. 553(a)(2) and
553(b)(3)(A)). Notwithstanding the
above, CBP generally provides the
public with an opportunity to comment
on the establishment, expansion and
consolidation of ports of entry.

V. Statutory and Regulatory Reviews

A. Executive Orders 12666, 13563 and
13771

Executive Orders 12666 (“Regulatory
Planning and Review”) and 13563
(“Improving Regulation and Regulatory
Review”) direct agencies to assess the
costs and benefits of available regulatory
alternatives and, if regulation is
necessary, to select regulatory
approaches that maximize net benefits
(including potential economic,
environmental, public health and safety
effects, distributive impacts, and equity).
Executive Order 13563 emphasizes the importance of
quantifying both costs and benefits of,
reducing costs, of harmonizing rules,
and of promoting flexibility. Executive
Order 13771 (“Reducing Regulation and
Controlling Regulatory Costs”) directs
agencies to reduce regulation and
control regulatory costs and provides
that “for every one new regulation
issued, at least two prior regulations be
identified for elimination, and that the
cost of planned regulations be prudently
managed and controlled through a
budgeting process.”

The Office of Management and Budget
(OMB) has not designated this rule a
significant regulatory action under
section 3(f) of Executive Order 12866.
Accordingly, OMB has not reviewed it.
As this rule is not a significant regulatory action, this rule is exempt from
the requirements of Executive Order 13771. See OMB’s Memorandum
“Guidance Implementing Executive Order 13771, Titled ‘Reducing
Regulation and Controlling Regulatory Costs’” (April 5, 2017).

The proposed change is intended to
expand the geographical boundaries of
the Savannah, Georgia, port of entry, and
make the boundaries more easily
identifiable to the public. There are no
new costs to the public associated with
this rule.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (5
U.S.C. 601 et. seq.), as amended by the
Small Business Regulatory Enforcement
and Fairness Act of 1996, requires
agencies to assess the impact of
regulations on small entities. A small
entity may be a small business (defined
as any independently owned and
operated business not dominant in its
field that qualifies as a small business
per the Small Business Act); a small not-
for-profit organization; or a small
governmental jurisdiction (locality with
fewer than 50,000 people).

This proposed rule merely expands
the limits of an existing port of entry
and does not impose any new costs on
the public. Accordingly, we certify that
this rule would not have a significant
economic impact on a substantial
number of small entities.

C. Unfunded Mandates Reform Act of
1995

This rule will not result in the
expenditure by State, local, and tribal
governments, in the aggregate, or by the
private sector, of $100 million or more
in any one year, and it will not
significantly or uniquely affect small
governments. Therefore, no actions are
necessary under the provisions of the
Unfunded Mandates Reform Act of
1995.

D. Executive Order 13132

The rule will not have substantial
direct effects on the States, on the
relationship between the National
Government and the States, or on the
distribution of power and
responsibilities among the various
levels of government. Therefore, in
accordance with section 6 of Executive
Order 13132, this rule does not have
sufficient federalism implications to
warrant the preparation of a federalism
summary impact statement.

E. Signing Authority

The signing authority for this
document falls under 19 CFR 0.2(a)
because the extension of port limits is
not within the bounds of those
regulations for which the Secretary of
the Treasury has retained sole authority.
Accordingly, this notice of proposed
rulemaking may be signed by the
Secretary of Homeland Security (or his
delegate).

VI. Authority

This change is proposed under the
authority of 5 U.S.C. 301; 6 U.S.C. 101,
et seq.; 19 U.S.C. 2, 66, 1202 (General
Note 3(f), Harmonized Tariff Schedule
of the United States), 1623, 1624, 1646a.

VII. Proposed Amendment to the
Regulations

If the proposed port limits for
Savannah, Georgia, are adopted, CBP
will amend 19 CFR 101.3(b)(1) as
necessary to reflect the new port limits.

Dated: June 27, 2017.
Elaine C. Duke,
Deputy Secretary.

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